

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Betty Pruitt,)
)
Plaintiff,)
) Civil Action No. 0:16-03348-TMC
v.)
)
)
Nancy A. Berryhill, Acting Commissioner)
Of Social Security,)
)
Defendant.)
)

ORDER

Plaintiff, Betty Pruitt, brought this action pursuant to 42 U.S.C. § 405(g) and 1383(c)(3) seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying her claim for Disability Insurance Benefits (“DIB”) pursuant to the Social Security Act. (ECF No. 1). This matter is before the court for review of the Report and Recommendation (“Report”) of the United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a) (D.S.C.). (ECF No. 20). The Report recommends that the Commissioner’s decision be affirmed because the Magistrate Judge found that there was substantial evidence to support the Commissioner’s final decision. (ECF No. 20). Plaintiff, who is represented by counsel, has not filed any objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but

instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a thorough and careful review of the record, the court adopts the Report of the Magistrate Judge (ECF No. 20), which is incorporated herein by reference. Accordingly, the Commissioner’s final decision is **AFFIRMED** because there is substantial evidence to support the Commissioner’s decision that Plaintiff is not disabled within the meaning of the Social Security Act.

IT IS SO ORDERED.

s/Timothy M. Cain
Timothy M. Cain
United States District Judge

Anderson, South Carolina
January 5, 2018